

Suspending limitations on conference committee
jurisdiction, H.B. No. 1493

By: Harris

S.R. No. 1015

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 78th
2 Legislature, Regular Session, 2003, That Senate Rule 12.03 be
3 suspended in part to enable the conference committee appointed to
4 resolve the differences on House Bill No. 1493, relating to the
5 foreclosure of property and the authority of a mortgage servicer to
6 administer the foreclosure on behalf of a mortgagee, to consider
7 and take action on the following matter:

8 Senate Rule 12.03(1) is suspended to permit the committee to
9 amend text that is not in disagreement in Section 51.009, Property
10 Code, as added by the bill, by adding the phrase "except as to
11 warranties of title", so that the section reads as follows:

12 Sec. 51.009. FORECLOSED PROPERTY SOLD "AS IS." A purchaser
13 at a sale of real property under Section 51.002:

14 (1) acquires the foreclosed property "as is" without
15 any expressed or implied warranties, except as to warranties of
16 title, and at the purchaser's own risk; and

17 (2) is not a consumer.

18 Explanation: The changed text is necessary to clarify that
19 any warranties of title granted in a foreclosure sale under Section
20 51.002, Property Code, are valid.